

# **FRANK TRIAL NOT FAIR**

## **DECLARES PREACHER**

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Public Mind Too  
Inflamed for

Impartial Hearing of  
Case,

**Says Dr. Holderby.**

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Leo M. Frank did not receive a fair trial for the murder of Mary Phagan on account of the inflamed condition of the public mind, according to Rev. A. R. Holderby, past of the Moore Memorial church. The declaration was made during a discussion

of the topic. "A Square Deal for Every Man," which was the subject of Dr. Holderby's discourse Sunday morning.

"I wish to speak a word of caution to you today as regards your attitude towards one of our citizens who had been convicted of an atrocious crime," he said. "It is not for me or for you to affirm that he is innocent or guilty. The jury has rendered its verdict."

"The question that concerns the church did this man have a fair and impartial trial?"

"If the trial was conducted without vindictiveness and prejudice and the testimony was sufficient to convict then the verdict is just. But if, on the other hand, there was prejudice and a clamor for vengeance, then the trial was not fair and impartial."

"No one can deny that the public mind was inflamed at the preparation of the crime, and justly so, and that prejudice ran high. Then under these conditions the trial was not fair and impartial."

### **Demand for Justice.**

If Leo Frank has had a fair and impartial trial and has been found guilty upon the most reliable testimony and there is no reasonable doubt as to his guilt, then he should suffer the penalty of the law.

"But it is a dangerous experiment to convict any man of a crime at a time when the public mind is unduly excited and when prejudice is at its height."

"Far better wait until sober judgement can prevail and better by far let a dozen guilty men go unpunished than to take the life of one innocent man."

### **Moderation is Necessary.**

"When the state hangs a man, who is innocent of a crime it is guilty of judicial murder. No man's life or liberty is safe when either can be taken away upon merely circumstantial evidence or

because public sentiment demands vengeance. Jesus Christ was crucified under just such conditions.”

“It is clearly the duty of the church in the name of her Lord to demand moderation sober judgement, justice and fair dealing for every man, whatever may be his station in life. I have no ax to grind in this matter. I am simply speaking in the name of God, and in behalf of our common humanity.”

“The church demands and has right to demand for every man, justice—sober judgement and a square deal.”

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*ARE BURNS MEN  
HERE*

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*Report Says They Are  
Work-  
ing on Frank Case.*

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That detectives in the employ of the Burns agency are in Atlanta working up new evidence to be used in the hearing on a new trial for Leo M. Frank, which is set for Oct. 4, is the rumor which spread through the city Sunday and set tongues freshly wagging on the famous case.

The rumor further has it that Solicitor Dorsey had in his possession a bit of valuable evidence given him while he was arguing the case before the jury and too late to be introduced into the proceedings. The local Burns men would neither affirm nor deny the report regarding their agents, and Mr. Dorsey could not be reached last night to make any statement regarding the rumored new evidence, which it is said was submitted to him by a girl formerly employed in the pencil factory.

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